IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO. 239 OF 2007

Shri Dilip R. Salunkhe .. Petitioner.

V/s.

Vidya Dilip Salunkhe & Anr. .. Respondents.

Mr. Amol Deshpande for the Petitioner.

CORAM : S. A. BOBDE, J.

DATED : 29TH AUGUST, 2007.

P.C. :-

. The division bench of this court passed an order dated 01st of August, 2006, directing the petitioner to pay a sum of Rs.50,000/- to the Respondents towards educational expenses of the children within three weeks from that date out of the arrears of maintenance. According to the petitioner, he has paid the amount as directed; however, the respondent wife is guilty of contempt because she has used part of the said amount for another purpose. The learned counsel for the petitioner relies on her deposition dated 03.05.2007 where she has explained how she has utilised the amount received by her. Apparently, she has stated that she utilised the amount of Rs.50,000/- towards educational

expenses of the daughter and she paid off her creditors from the sum of Rs. 2,80,000/-. It cannot be said that she is guilty of any wilful disobedience of the order of the court, which did not directly specify the manner in which the amount was to be spent but only specified the purpose.

2. There is no merit in the contempt petition, which is hereby dismissed.

(S.A.BOBDE,J.)

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